

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X  
EVELYN GAINES, individually and as mother and  
natural guardian of TYLER GAINES,

Plaintiff,

-against-

08-CV-4229  
(RMB)

DISTRICT COUNCIL 1707 HEALTH AND  
INSURANCE FUND, DISTRICT COUNCIL 1707  
HEALTH AND BENEFIT FUND and THE BOARD OF  
TRUSTEES OF THE DISTRICT COUNCIL 1707 HEALTH  
AND INSURANCE FUND,

Defendants.  
-----X

To: Dan Campbell  
Law Offices of Dan Campbell Associates, P.C.  
99 Tulip Avenue, Suite 404  
Floral Park, New York 11001

**PLAINTIFF'S INITIAL DISCLOSURES**

Plaintiff, EVELYN GAINES, individually and as mother and natural guardian of TYLER GAINES, submits the following for her initial disclosures, pursuant to Rule 26(a) of the Federal Rules of Civil Procedure:

1. Plaintiff believes that the following person is likely to have discoverable information in this matter:

(a) Evelyn Gaines, 120 Casals Place, Apt. 20C, Bronx, New York 10475;  
factual matters relating to Plaintiff's claims.

2. The following documents are relevant to the claims in this matter and within the possession and control of Plaintiff:

(a) District Council 1707 Health and Insurance Fund Summary Plan

Description provided to plaintiff EVELYN GAINES by the Defendants;

(b) Correspondence between the Defendants and Plaintiff.

3. Plaintiff seeks that the defendants pay approximately \$114,000.00 in benefits related to expenses incurred as a result of the negligent care and treatment rendered to plaintiff EVELYN GAINES and infant plaintiff TYLER GAINES on July 17, 2003.

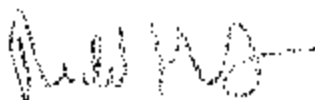
4. There is no applicable insurance policy for Plaintiff.

5. Plaintiff will supplement that foregoing in the event that further information comes to her attention.

Dated: New York, New York  
June 10, 2008

Yours, etc.,  
GAIR, GAIR, CONASON,  
STEIGMAN & MACKAUF  
Attorneys for Plaintiffs  
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80 Pine Street  
New York, NY 10005  
(212) 943-1090

By:



RICHARD M. STEIGMAN (RMS-2517)